

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

BOBBY DAMON INGRAM,

DEBTOR

CHAPTER 7

CASE NO. 22-50570-SMS

NOTICE OF HEARING

PLEASE TAKE NOTICE that Bobby Damon Ingram has filed a Motion to Convert to Chapter 13 with the Court seeking an Order converting this Chapter 7 Case to a Chapter 13 Case.

PLEASE TAKE FURTHER NOTICE that the Court will hold an initial telephonic hearing on the Motion at the following toll-free number: **833-568-8864 Meeting ID 161 179 4270 at 10:15 AM on June 8, 2022 in Courtroom 1201, Russell Federal Building, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303.**

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the webpage for this Court, www.ganb.uscourts.gov for more information.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

This April 27, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884
342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
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IN RE:

BOBBY DAMON INGRAM,

DEBTOR

CHAPTER 7

CASE No. 22-50570-SMS

MOTION TO CONVERT TO CHAPTER 13

Comes now the Debtor, Bobby Damon Ingram, by and through the undersigned counsel, and files this Motion and shows to this Honorable Court the following:

1.

This case was commenced on January 21, 2022 by the filing of a Voluntary Petition in Bankruptcy for relief under Title 11 Chapter 13 of the United States Code.

2.

Jurisdiction is appropriate pursuant to 28 U.S.C. Section 1334; 28 U.S.C. Section 151 et seq; and, 11 U.S.C. Section 151 et seq. Venue is appropriate pursuant to 28 U.S.C. Section 1409. This contested matter is core proceeding as defined in 28 U.S.C. Section 157(b)(2)(A).

3.

11 U.S.C. §706(a) provides that “The debtor may convert a case under this chapter to a case under chapter 11, 12, or 13 of this title at any time, if the case has not been converted under section 1112, 1208, or 1307 of this title. Any waiver of the right to convert a case under this subsection is unenforceable.” In enacting §706(a), “Congress gave ‘honest but unfortunate debtor[s] the chance to repay their debts should they acquire the means to do so.’ *Marrama v. Citizens Bank of Massachusetts*, 549 U.S. 365 (2007) (internal citation omitted).

4.

Conversion to Chapter 13 should only be denied if the party opposing conversion meets its burden of showing that one of the conditions enumerated in 11 § 1307(c) is present.

5.

Since filing the Chapter 7 case, there have been a couple of changes to his financial situation that will make repayment of claims feasible. First, the 2020 Cadillac Escalade was totaled in an auto accident two weeks ago and the loan will be fully satisfied by insurance proceeds. Given that the Escalade had a very high monthly payment, this will free up some money for Debtor's plan payment. Additionally, with the economy reopening, especially in the transportation sector, Debtor's transportation business is generating significantly more income, approaching pre-pandemic levels. Therefore, Debtor believes that he will be able to propose a 100% repayment of debts depending on whether business debts file claims.

WHEREFORE, Debtor prays that this Court:

- A. Hold a hearing, if necessary, to inquire into this matter;
- B. Convert this Case to a Chapter 13;
- C. Appoint a Chapter 13 Trustee to administer the estate;
- D. Grant such other and further relief as this Court deems just and equitable.
- E.

Dated: April 27, 2022

Respectfully Submitted,

JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER

Attorney for Debtor

State Bar No. 700884

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

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IN RE:

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CASE No. 22-50570-SMS

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed a true and exact copy of the foregoing “Notice of Hearing” and “Motion to Convert to Chapter 13” to the following:

S. Gregory Hays, Chapter 13 Trustee

Electronically

Bobby Damon Ingram
1404 Montclair Ct SE
Smyrna, GA 30080

Creditors Reflected on the
Attached Mailing Matrix

by electronic service upon filing with the Court or by placing a copy of same in a properly addressed envelope with sufficient postage affixed thereon to insure delivery and depositing same in the United States Mail.

Dated: April 27, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

Label Matrix for local noticing
113E-1
Case 22-50570-sms
Northern District of Georgia
Atlanta
Thu Apr 21 10:30:01 EDT 2022

Ally Financial
AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Amex
Correspondence/Bankruptcy
Po Box 981540
El Paso, TX 79998-1540

Antonio Berry
2304A Duckhead Ct.
Graham, NC 27253-8802

Barclays Bank Delaware
Attn: Bankruptcy
Po Box 8801
Wilmington, DE 19899-8801

Capital One Auto Finance, a division of Capi
AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Daimler Truck Financial
13650 Heritage Parkway
Fort Worth, TX 76177-5323

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Discover Financial
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054-3025

Farm Bureau Bank
14841 Dallas Parkway, Suite 425
Dallas, TX 75254-8067

Farm Bureau Bank
Attn: Bankruptcy
Po Box 33427
San Antonio, TX 78265-3427

Farm Bureau Bank FSB
Attn: Bankruptcy
Po Box 33427
San Antonio, TX 78265-3427

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

S. Gregory Hays
Hays Financial Consulting, LLC
Suite 555
2964 Peachtree Road
Atlanta, GA 30305-4909

IRS Insolvency Unit
401 W. Peachtree St., NW
Room 400, Stop 334-D
Atlanta, GA 30308

Bobby Damon Ingram
1404 Montclair Ct SE
Smyrna, GA 30080-3799

Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303-3315

Regions Bank
PO Box 2224
Birmingham, AL 35246-0001

Christopher J. Sleeper
Jeff Field & Associates
342 North Clarendon Avenue
Scottsdale, GA 30079-1320

Small Business Administration
409 3rd St., SW
Washington, DC 20416-0005

Suntrust Bank Atlanta
Attn: Bankruptcy
Mailcode VA-RVW-6290 POB 8509
Richmond, VA 23286-0001

Tarunda Hurt
4302 Arbor Gates Dr. NE
Atlanta, GA 30324-5616

Truist Bank
Attn: Support Services
P.O. Box 85092
Richmond, VA 23286-0001

United States Attorney
Northern District of Georgia
75 Ted Turner Drive SW, Suite 600
Atlanta GA 30303-3309

Wells Fargo Bank, N.A.
Small Business Lending Division
P.O. Box 29482 MAC S4101-08C
Phoenix, AZ 85038-9482

Wells Fargo Card Services
PO Box 51193
Los Angeles, CA 90051-5493

Chase
National Bank by Mail
PO Box 6185
Westerville, OH 43086

Georgia Department of Revenue
Compliance Division
1800 Century Blvd., NE, S9100
Atlanta, GA 30345

End of Label Matrix
Mailable recipients 26
Bypassed recipients 0
Total 26